



000002-002803.KAG.166193/am

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
MAR 28 2003
TECHNOLOGY CENTER R3700

In re patent application of:)

William F. McKay)

Serial No. 09/923,116)

HIGHLY-MINERALIZED
OSTEOGENIC SPONGE
COMPOSITIONS, AND USES
THEREOF)

) Before the Examiner
) Stewart, Alvin J.

) Group Art Unit
) 3738

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March 19, 2003

(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

Signature

March 19, 2003

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the duty of disclosure in accordance with 37 C.F.R. § 1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). Copies of cited items are enclosed in accordance with 37 C.F.R. § 1.98.

The identified information, taken alone or in combination with other art, provides information relating to the subject matter of the invention, but fails to teach, disclose or suggest the present invention. The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in § 1.56(b).

This Information Disclosure Statement is being submitted after a First Substantive Office Action, thus a fee of \$180.00 is enclosed.

Respectfully submitted,

By:

Kenneth A. Gandy

Reg. No. 33,386

Woodard, Emhardt, Naughton,

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03/27/2003 MAHMED1 00000071 09923116

01 FC:1806

180.00 OP



3738/A

WENMM/SB/21 (12/00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/923.116
	Filing Date	August 6, 2001
	First Named Inventor	McKay, William F.
	Group Art Unit	3738
	Examiner Name	Stewart, Alvin J.
Total Number of Pages in this Submission	Attorney Docket Number	4002-2803

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	RECEIVED MAR 28 2003	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT TECHNOLOGY CENTER R3700

Firm or Individual Name	Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty, & McNett LLP
Signature	<i>Kenneth A. Gandy</i>
Date	March 19, 2003

Certificate of Mailing

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Typed or printed name	Kenneth A. Gandy		
Signature	<i>Kenneth A. Gandy</i>	Date	March 19, 2003

004002-002803.KAG.210633/am

**FREE TRANSMITTAL
FOR FY 2003**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/923,116	RECEIVED MAR 28 2003
Filing Date	August 6, 2001	
First Named Inventor	McKay, William F.	
Group Art Unit	3738	
Examiner Name	Stewart, Alvin J.	
Attorney Docket Number	4002-2803	TECHNOLOGY CENTER B3700

Total Amount of Payment (\$180.00)

METHOD OF PAYMENT☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number

23-3030

Deposit
Account
NameWoodard, Emhardt, Naughton,
Moriarty & McNett LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application,
excluding the payment of issue fees
☐ Charge fee(s) indicated below, except for the filing fee to the above-
identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility Filing Fee	
1002	330	2002	165	Design Filing Fee	
1003	520	2003	260	Plant Filing Fee	
1004	750	2004	375	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES

	Extra Claims	Fee From Below	Fee Paid
Total Claims <input type="text"/> -20** = <input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Independent Claims <input type="text"/> -3** = <input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Multiple Dependent		<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
	18		9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other Fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)

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Signature

Date

March 19, 2003